

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

DAVID BINEGAR, :  
Plaintiff, : Case No. 3:13cv00237  
vs. : District Judge Walter Herbert Rice  
CAROLYN W. COLVIN, : Chief Magistrate Judge Sharon L. Ovington  
Acting Commissioner of the Social  
Security Administration, :  
Defendant. :

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**DECISION AND ORDER**

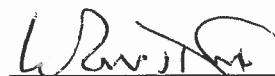
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The Court has conducted a de novo review of the Report and Recommendations of Chief United States Magistrate Judge Sharon L. Ovington (Doc. #18), to whom this case was originally referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on October 31, 2014 (Doc. #18) is adopted in full;
2. The parties' Joint Stipulation to Award Attorney's Fees under the Equal Access to Justice Act (Doc. #17) is accepted, and Defendant is directed to pay Plaintiff's attorney fees under 28 U.S.C. § 2412 in the total amount of \$4,600.00;

3. Defendant is directed to verify, within thirty days of this Decision and Order, whether or not Plaintiff owes a pre-existing debt to the United States subject to offset. And, if no such pre-existing debt exists, Defendant is directed to pay the EAJA award directly to Plaintiff's attorney;
4. Plaintiff's Motion for Attorney Fees under Equal Access to Justice Act (Doc. #16) is DENIED as moot; and,
5. The case remains terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge